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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/001,644 | 11/29/2001 | Li-Wen Chen | 52719.00033 | 5491 |
| 30256 | 7590 | 07/12/2004 | EXAMINER | |
| SQUIRE, SANDERS & DEMPSEY L.L.P. 600 HANSEN WAY PALO ALTO, CA 94304-1043 | | | COLBERT, ELLA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3624 | |

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,644

Applicant(s)

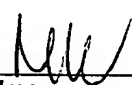
CHEN ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-103 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-103 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 35-103 are pending.
2. The Withdrawal of Attorney filed 02/02/04 has been entered as paper no. 7.
3. The Withdrawal of Attorney –Denied on 06/02/04 has been entered as paper no. 8.
3. The IDS filed 03/12/02, the IDS filed 03/18/02 and the IDS filed 11/29/01 are missing from the application. Applicant is respectfully requested to resubmit these IDS's for consideration.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 92-96 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. Claim 92 is not sufficiently precise due to the combining of two statutory classes of invention in a single claim. The preamble of the claim references a user interface and a method, but the body of the claim discusses the specifics of a system of the user interface (ex. a hierarchical display of functional components), and subsequently the claim then deal with the specifics of a method (the steps ex. highlighting a first component and receiving input indicating information) of the user interface.

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B. Claims 93-96 are rejected as being dependent on claim 92.

5. Claim 41 references "a data warehouse builder" in the preamble and in claims 42-49 reference "the apparatus ...". This is confusing to the Examiner and in the claim language. If claim 41 is "A data warehouse builder" the dependent claims should read "The data warehouse builder of claim..., wherein" or Claim 41 should recite "The Apparatus comprising:".

6. Claim 80, page 11, line 9 recites "determining data types and primary/foreign keys;". It is unclear whether Applicants' mean "determining data types and primary and foreign keys" or "determining data types and primary or foreign keys;". Applicants' are respectfully requested to clarify in the claim language this claim limitation.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 92-96 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

35 USC 101 requires that in order to be patentable the invention must be a "new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof" (emphasis added). Applicants' claims mentioned above are intended to embrace or overlap two different statutory classes of invention as set forth in 35 USC 101. The claims begin by discussing a system and a method (ex. preamble of claim 92), the body of the claim discusses the specifics of the system of the

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user interface, and subsequently the claim then deals with the specifics of a method (the steps) of the user interface (see above rejection of claims under 35 USC 112, second paragraph, for specific details regarding this issue). "A claim of this type is precluded by the express language of 35 USC 101 which is drafted so as to set forth the statutory classes of invention in the alternative only", Ex parte Lyell (17 USPQ2d 1548).

9. Claims 35-50, 53-91, and 97-103 are rejected under 35 USC 101 as non-statutory. The method claims as presented do not claim a technological basis in the preamble or the body of the claim. Without a claimed basis, the claim may be interpreted in an alternative as involving no more than a manipulation of an abstract idea and therefore non-statutory under 35 USC 101. In contrast, a method claim that includes in the body of the claim at least one structural/functional interrelationship which can only be computer implemented is considered to have a technological basis [See Ex parte Bowman, 61 USPQ2d 1669, 1671 (Bd. Pat. App. & Inter. 2001) – used only for content and reasoning since not precedential].

The following is suggested to overcome the 35 USC 101 matter: Claim 35 to recite "A computer-implemented method, comprising:
receiving at the computer a first schema database;" or "receiving at the user a first schema database;". The other independent claims may be amended in a similar manner.

The following is suggested to overcome the 35 USC 101 matter for claims 53-71:

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"Claim 53 . A computer readable storage medium bearing instructions for storing thereon data in accordance with a data model, the data model comprising: a focal group, comprising: at the computer at least one of a plurality of core components; at least one of a plurality of classification components providing classifications ...; at least one customized group, comprising; ... to the core component; ... at least one of the customer activity components; and wherein the focal group and the customized group comprise a reverse star schema meta model." The claims that depend from claim 53 do not have a problem but are rejected for their dependency on claim 53.

The following is suggested for claims 72 and 79: "A computer-implemented method, comprising: at the computer ...;".

The following is suggested for claim 99: "A computer-based computer program product, comprising:".

Also see MPEP 2106 regarding 35 USC 101.

Claim Objections

10. Claim 102 is objected to because of the following informalities: Claim 102 depends on a canceled claim. The Examiner is unable to determine the claim dependency. Appropriate correction is required.

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Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Wednesday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E. Colbert
July 10, 2004

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E. Colbert
July 10, 2004